



STATE OF CONNECTICUT
OFFICE OF THE
PROBATE COURT ADMINISTRATOR

PAUL J. KNIERIM, JUDGE
Probate Court Administrator

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House Co-Chair Michael Lawlor
Senate Ranking Member John Kissel
House Ranking Member Arthur O'Neill
Honorable Members of the Judiciary Committee

From: Paul J. Knierim, Judge
Probate Court Administrator

Re: SB 141 An Act Concerning Review of Guardian Ad Litem Fees and
Expenses

Date: March 9, 2009

The Office of the Probate Court Administrator is supportive of the concept embodied in this bill but would like to suggest certain modifications.

Under existing law, the court that appoints the guardian ad litem is authorized to approve reasonable compensation for the guardian's services. Judicial review of guardian ad litem fees is therefore inherent in the existing statutory framework. We have no objection to an amendment to Section 45a-132 that gives greater specificity to the process by which fees are reviewed.

We would like to express concern, however, about the provision that would allow transfer the power to review a guardian ad litem's fee's from the probate court to the Superior Court. It appears that the bill seeks to establish a mechanism by which fees can be reviewed by a judge other than the judge who appointed the guardian ad litem. We would suggest that such a framework could be provided within the probate system by citation of another probate judge to conduct the review, rather than moving the case to the Superior Court. Of course, existing law provides for review of any decision of a probate judge by the Superior Court in the event that a party appeals the probate judge's decision.

We would welcome the opportunity to assist in drafting language to resolve the issues that this bill seeks to address.